

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	Chapter 11
)	
Biora Therapeutics, Inc., ¹)	Case No. 24-12849 (BLS)
)	
Debtor.)	
)	

**NOTICE OF AGENDA OF MATTER SCHEDULED FOR HEARING ON
FEBRUARY 19, 2025, AT 1:30 P.M. (ET), BEFORE THE HONORABLE BRENDAN
L. SHANNON, AT THE UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF DELAWARE, 824 NORTH MARKET STREET, 6TH FLOOR,
COURTROOM NO. 1, WILMINGTON, DELAWARE 19801**

This hearing will be conducted in person. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Please refer to Judge Shannon's Chambers Procedures (<https://www.deb.uscourts.gov/content/judge-brendan-l-shannon>) and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on the method of allowed participation (video or audio), Judge Shannon's expectations of remote participants, and the advance registration requirements.

Registration is required by 4:00 p.m. (ET) the business day before the hearing, unless otherwise noticed, using the eCourt Appearances tool available on the Court's website (<https://ecf.deb.uscourts.gov/cgi-bin/nysbAppearances.pl>).

MATTER GOING FORWARD

1. Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing Debtor to (A) Obtain Postpetition Senior Secured Financing and (B) Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Senior Secured Parties, (III) Granting Liens and Superpriority Claims, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 18](#); Filed 12/28/24]

Related Documents:

- (a) Declaration of Daun Chung in Support of the Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing Debtor to (A) Obtain Postpetition Senior Secured Financing and (B) Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Senior Secured Parties, (III) Granting

¹ The last four digits of Biora Therapeutics, Inc.'s federal tax identification number are 0390. Biora Therapeutics, Inc.'s service address is 10070 Carroll Canyon Road, Suite 100, San Diego, CA 92131.

Liens and Superpriority Claims, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 19](#); Filed 12/28/24]

- (b) Certification of Counsel Regarding Revised Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Senior Secured Priming Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Senior Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 38](#); Filed 12/30/24]
- (c) Revised Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Senior Secured Priming Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Senior Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related [[Docket No. 39](#); Entered 12/30/24]
- (d) Notice of Entry of Interim Order and Final Hearing with Respect to Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing Debtor to (A) Obtain Postpetition Senior Secured Financing and (B) Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Senior Secured Parties, (III) Granting Liens and Superpriority Claims, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 46](#); Filed 12/30/24]
- (e) Certification of Counsel Regarding Proposed Second Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Senior Secured Priming Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Senior Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 107](#); Filed 1/27/25]
- (f) Second Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Senior Secured Priming Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Senior Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related [[Docket No. 118](#); Entered 1/28/25]
- (g) Notice of Filing of Third Interim Order (I) Authorizing Debtor to (A) Obtain Postpetition Senior Secured Financing and (B) Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Senior Secured Parties, (III) Granting Liens and Superpriority Claims, (IV) Modifying the

Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 129](#); Filed 2/6/25]

- (h) Certification of Counsel Regarding Proposed Third Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Senior Secured Priming Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Senior Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 131](#); Filed 2/7/25]
- (i) Third Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Senior Secured Priming Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to the Prepetition Senior Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 133](#); Entered 2/7/25]

Response(s) Received: Informal comments received from the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”), the Official Committee of Unsecured Creditors (the “Committee”), and the Debtor’s debtor-in-possession lenders (the “DIP Lenders”).

Objection Deadline: January 20, 2025 at 4:00 p.m. (ET); extended to February 13, 2025 at 12:00 p.m. (ET) for the Committee.

Status: This matter is going forward. The Committee and the DIP Lenders have reached a global settlement, a term sheet for which will be attached to the proposed final DIP financing order which will be filed prior to the hearing. The Debtor is not a party to the global settlement, and accordingly will not be seeking Court approval thereof. The Debtor understands that certain terms of the global settlement will be embodied in a revised bid by the stalking horse bidder in the Debtor’s ongoing sale process.

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Dated: February 14, 2025
Wilmington, Delaware

/s/ David R. Hurst

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